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10 UNITED STATES DISTRICT COURT  
11  
12 NORTHERN DISTRICT OF CALIFORNIA

13 ROY D. NEWPORT et al,  
14  
15 Plaintiffs/Counter-Defendants,  
16 vs.  
17 BURGER KING CORPORATION,  
18 Defendant/Counter-Claimant,  
19 vs.  
20 ANTELOPE VALLEY RESTAURANTS, INC.  
et al,  
21 Counter-Defendants.  
22

Case No. CV-10-4511-WHA

**VOLUNTARY STIPULATION FOR  
DISMISSAL OF ACTION WITH  
PREJUDICE**

23  
24 The Plaintiffs/Counter-Defendants, Roy D. Newport, *et al.*, Defendant/Counter-  
25 Claimant, Burger King Corporation, and Counter-Defendants, Antelope Valley  
26 Restaurants, Inc., *et al.*, represented by the undersigned counsel (collectively the

“Parties”), pursuant to Rule 41(a)(1)(A)(ii) and 41(c) of the Federal Rules of Civil Procedure, hereby stipulate and agree that all claims, counter-claims, cross-claims and third party claims asserted in this action shall be dismissed with prejudice. Each party shall bear its own attorneys’ fees and costs.

Dated: December 27, 2012

Respectfully submitted,

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<sup>1</sup> I, Michael D. Joblove, hereby attest that, pursuant to Local Rule 5.1 of the Civil Local Rules for the United States District Court for the Northern District of California, concurrence in the filing of this document has been obtained from each of the other signatories herein.

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